

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA, DIVISION**

CLERK CAdams
SO. DIST. OF GA.

Audrey Finley)
Plaintiff) CV 112 038
Vs.) CIVIL ACTION FILE NO.
Morris Communications Co. LLC)
Defendant.) Jury Trial Demanded

COMPLAINT FOR DAMAGES

Plaintiff files this action against Morris Communications Co. LLC ("Morris") under the Fair Labor Standards Act, 29 U.S.C. §§ 201, *et. seq.* ("FLSA"), for unpaid overtime compensation, liquidated damages, and reasonable costs of litigation, including attorneys' fees.

JURISDICTION AND VENUE

1.

This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1337 and 29 U.S.C. § 216(b).

2.

Venue lies in this judicial district pursuant to 28 U.S.C. § 1331 because the defendant resides in the Southern District of Georgia, Augusta Division, and the events and/or omissions giving rise to plaintiff's claims occurred in the Augusta Division.

PARTIES

3.

Plaintiff Audrey Finley resides in North Augusta, South Carolina, and, during the three-year period immediately preceding the date of this complaint was employed by Morris Communications Co. LLC as an Accounts Payable Specialist until she was terminated on January 31, 2012.

4.

Morris Communications Co., LLC is a Georgia limited liability company whose principal office address is 725 Broad Street, Augusta, Georgia, and whose registered agent is Corporation Service Co., 40 Technology Parkway South, #300, Norcross, Georgia.

5.

Morris is an employer within the meaning of the FLSA, 29 U.S.C. § 203(d).

Count I – Unpaid Overtime

7.

Plaintiff re-alleges and incorporates herein the allegations contained in paragraphs 1 through 6 above.

8.

Plaintiff worked numerous weeks in excess of forty (40) hours yet was not compensated for all work in excess of forty (40) hours at a rate not less than one and a half times the regular rate at which she was employed.

9.

Defendant Morris's policy of not paying overtime in violation of the FLSA was intentional and unlawful.

10.

Plaintiff is entitled to recover compensation for her overtime hours at a rate not less than one and a half times the regular rate at which she was employed.

Count II – Liquidated Damages

11.

Plaintiff re-alleges and incorporates herein the allegations contained in paragraphs 1 through 10 above.

12.

29 U.S.C. § 216(b) of the FLSA provides that an employer who violates the provisions of the Act shall be liable not only for the amount of unpaid overtime compensation, but also for an additional equal amount as liquidated damages.

13.

Plaintiff is entitled to recover liquidated damages equal to the total amount owed for overtime hours worked.

Count III – Attorney's Fees and Costs

14.

Plaintiff re-alleges and incorporates herein the allegations contained in paragraphs 1 through 13 above.

15.

29 U.S.C. § 216(b) of the FLSA provides that the court shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

16.

Plaintiff is entitled to recover a reasonable attorney's fee incurred to prosecute this action and her costs.

WHEREFORE, plaintiff, Audrey Finley, prays for the following:

- (a) To declare that defendant, Morris Communications Co. LLC, has violated the overtime wages provisions of the FLSA, 29 U.S.C. § 207;

- (b) To award plaintiff damages for the amount of unpaid overtime wages due to her subject to proof at trial;
- (c) to award plaintiff an additional amount equal to the unpaid overtime wages found to be due and owing as liquidated damages;
- (d) to award plaintiff a reasonable attorney's fee and costs; and
- (e) For a jury trial on all issues so triable and such other and further relief as this Court deems just and proper.

Respectfully submitted, this 21st day of March, 2012.

By:



David P. Dekle
Ga. Bar No. 216590

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Counsel for Plaintiff

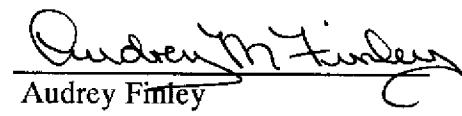
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**CONSENT TO FILING OF CLAIM FOR OVERTIME UNDER THE FAIR
LABOR STANDARDS ACT**

I, Audrey Finley, am a former employee of Morris Communications Co. LLC. I held the position of Accounts Payable Specialist until January 31, 2012. Morris Communications did not pay me all wages due for overtime hours worked as required by the Fair Labor Standards Act (“FLSA”). I hereby consent to participate as a party plaintiff and assert my claims in this action or any separate or subsequent action against Morris Communications Co. LLC and/or related entities and individuals pursuant to 29 U.S.C. § 216(b).

This 21st day of March, 2012,



Audrey Finley
2108 Vireo Drive
North Augusta, S.C.